

**From:** Jonathan Mitchell jonathan@mitchell.law  
**Subject:** request to waive service in Stewart v. Texas Tech University Health Sciences Center, et al., No. 5:23-cv-00007-H (N.D. Tex.)  
**Date:** July 14, 2023 at 6:37 PM  
**To:** Bentley, Eric Eric.Bentley@ttu.edu

JM

Mr. Bentley:

The Court has ordered us to serve all of the defendants by July 21, 2023 or face dismissal under FRCP 4(m).

The other defendants in the case, other than the Texas Tech defendants, have agreed to waive service and we will file their waiver-of-service forms shortly.

Could you please let us know whether the Texas Tech defendants would prefer: (1) To execute a waiver of service; (2) To appear in the case on or before July 21, 2023; or (3) Have me arrange for hand-service?

I have attached the waiver-of-service forms to this e-mail. Please feel free to call me if you'd like to discuss. (512) 686-3940.

—Jonathan

AO 398 (Rev. 01/09) Notice of a Lawsuit and Request to Waive Service of a Summons

UNITED STATES DISTRICT COURT  
for the

Northern District of Texas

George Stewart

Plaintiff

v.

Texas Tech University Health Sciences Center, et al.

Defendant

Civil Action No. 5:23-cv-00007-H

NOTICE OF A LAWSUIT AND REQUEST TO WAIVE SERVICE OF A SUMMONS

To: Hollie Stanton

(Name of the defendant or - if the defendant is a corporation, partnership, or association - an officer or agent authorized to receive service)

Why are you getting this?

A lawsuit has been filed against you, or the entity you represent, in this court under the number shown above. A copy of the complaint is attached.

This is not a summons, or an official notice from the court. It is a request that, to avoid expenses, you waive formal service of a summons by signing and returning the enclosed waiver. To avoid these expenses, you must return the signed waiver within 30 days (give at least 30 days, or at least 60 days if the defendant is outside any judicial district of the United States) from the date shown below, which is the date this notice was sent. Two copies of the waiver form are enclosed, along with a stamped, self-addressed envelope or other prepaid means for returning one copy. You may keep the other copy.

What happens next?

If you return the signed waiver, I will file it with the court. The action will then proceed as if you had been served on the date the waiver is filed, but no summons will be served on you and you will have 60 days from the date this notice is sent (see the date below) to answer the complaint (or 90 days if this notice is sent to you outside any judicial district of the United States).

If you do not return the signed waiver within the time indicated, I will arrange to have the summons and complaint served on you. And I will ask the court to require you, or the entity you represent, to pay the expenses of making service.

Please read the enclosed statement about the duty to avoid unnecessary expenses.

I certify that this request is being sent to you on the date below.

Date: 07/14/2023

/s/ Jonathan F. Mitchell

Signature of the attorney or unrepresented party

Jonathan F. Mitchell

Printed name

*Printed name*  
Mitchell Law PLLC  
111 Congress Avenue, Suite 400  
Austin, Texas 78701

*Address*

*E-mail address*  
jonathan@mitchell.law

*Telephone number*

(512) 686-3940

*Telephone number*

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AO 398 (Rev. 01/09) Notice of a Lawsuit and Request to Waive Service of a Summons

## UNITED STATES DISTRICT COURT

for the

Northern District of Texas

George Stewart

*Plaintiff*

v.

Texas Tech University Health Sciences Center, et al.

*Defendant*

Civil Action No. 5:23-cv-00007-H

### NOTICE OF A LAWSUIT AND REQUEST TO WAIVE SERVICE OF A SUMMONS

To: Lori Rice-Spearman

*(Name of the defendant or - if the defendant is a corporation, partnership, or association - an officer or agent authorized to receive service)*

#### Why are you getting this?

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I certify that this request is being sent to you on the date below.

Date: 07/14/2023

/s/ Jonathan F. Mitchell

*Signature of the attorney or unrepresented party*

Jonathan F. Mitchell

*Printed name*

Mitchell Law PLLC  
111 Congress Avenue, Suite 400  
Austin, Texas 78701

*Address*

jonathan@mitchell.law

*E-mail address*

(512) 686-3940

*Telephone number*

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AO 399 (01/09) Waiver of the Service of Summons

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UNITED STATES DISTRICT COURT